IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY EIGHTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO : 9326 of 2004

Between:

M/s. Vijaya and Company, Rep. by its Prop. Y. Radhakrishna, S/o. Gajender Rao, Office at 12-13-104, St.No.3, Tarnaka, Secunderabad.

..... PETITIONER

AND

1 Union of India, Rep. by its General Manager,
South Central Railway, Secunderabad.
2 The Chief Administrative Officer (Constructions) South Central Railway, Secunderabad.
3 The Chief Engineer/V/ Con, South Central Railway, Secunderabad.
4 The Deputy Chief Engineer/ Con, South Central Railway, Nanded, Maharastra State.
5 V. Narasimha, S/o. Not Known to the Petitioner
R/o. 7-15/1, Jai Santoshnagar, Road No. 8, Habsiguda, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue Writ Order or Direction more particularly one in the nature of Writ of Mandamus, declaring the action of the respondent authorities in accepting the tender schedule submitted by the 5th respondent vide No. W/Con.496/A/PAU-AK/4283 dt. 19-5-2004 pursuant to the Tender Notice No. 20/CAO/C/SC/2004(CE/V/SC dt. 27-2-2004 as illegal, arbitrary, contrary to the terms and conditions stipulated in the Tender Notification dt. 27-2-2004 and consequently set aside the same, to grant such other relief or reliefs as this Hon'ble Court deems fit and proper in the circumstances of the case.

For the Petitioner: MR.SOMANCHI VENKATESWARLU, Advocate (Not present)

For the Respondents 1 to 4: MR.G.S.SANGHI, Standing Counsel

The Court made the following :

ORDER

In spite of direction given by this court on 24-6-2004 to serve papers on the Standing Counsel for the respondents 1 to 4, the petitioner has not complied with the same or any proof of service has been filed.

None appears for the petitioner.

Be that as it may, pursuant to the tender notification dt. 27-2-2004, by this time, tenders were already opened. It is stated that the fifth respondent is proceeding with the work awarded to him.

In view of the same, no interference is called for.

The writ petition is accordingly dismissed.

_____

A.GOPAL REDDY,J

Dt. 28-10-2004

kmr

To

1. General Manager, Union of India,
South Central Railway, Secunderabad**.**
2. 2.2CD copies